

**TITLE 9. SEWER AND WATER**

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**Chapter 900 - Sewer and Water**

**900.01 Minimum Unit Charge.** The sewer access charge (SAC) and the water access charge (WAC) shall be as established from time to time by ordinance.

**900.02 Connection Requirements.** All premises which have access to either the municipal water system and/or municipal sewers and from which sewage or organic waste products of any nature, including milk waste, are drained, are hereby required to be connected with the municipal sewers for proper treatment in the sewage treatment plant of the city and the municipal water system. The City shall not provide a connection to city sewer services, nor shall the Public Utilities Commission (PUC) provide a connection to the PUC's water system to any owners of properties located outside the corporate boundaries of the City without said properties first being annexed into the City

**900.03 Consent to Rules, Regulations and Charges.** By making connection with the municipal sewer or water system, the owner, as to SAC and WAC, and to the owner, lessee and occupant of the premises, as to user charges, are deemed to agree to pay the established rates as provided from time to time by ordinance or resolution or regulations duly adopted, and further agrees to abide by the reasonable rules and regulations heretofore and hereafter adopted for the protection of the systems.

**900.04 Prohibited Materials.** All flammable or poisonous products, grease, oils, acid materials, hair, fur, fabric and all other materials which may interfere with the proper treatment of sewage at the plant or ponds shall be trapped or otherwise prevented from entering such sewers and, if it appears that any substance entering such sewers is hampering the proper operation of the sewage plant, the Council may declare the drainage of such substance a nuisance and require the practice to be abated.

**900.05 Storm Sewage Prohibition.** No roof drains, basement drains (except for floor drains) or storm sewers of any kind shall be connected with the city sanitary sewer system.

**900.06 Connections, Applications, Fees.**

- (A) Any person desiring a permit to connect to the municipal sanitary sewer or water system shall make written application to the City Building Inspector on a form furnished by the city. Application for such permits shall contain an exact description of the property to be served, the location of the connection and service main, the materials to be used, the nature and quantity of the sewage to be discharged and such other in-

formation as may be reasonably required.

- (B) The applicant shall pay both charges SAC and WAC before receiving a building or occupancy permit. The WAC and SAC for the construction, improvement, and repair of potable water and sewage treatment facilities including wells, lift stations, pumps, mains, and related facilities. The SAC and WAC are in addition to other charges and fees that may be required by law. No taps into the main for sewer or water and no backfilling of excavation may be done before inspection by a representative of the city.
- (C) The City of Princeton operates a sewage collection system to serve the needs of the community. A Sewer Trunk Area Charge (STAC) is needed to fund and/or reimburse the city for the establishment, construction, repair, replacement, maintenance, enlargement and improvement of said system. The STAC is payable by the developer of every lot, parcel or piece of property that will connect to the sewage collection system, or cause additional use or excessive discharge of sewage, whether residential, commercial or industrial, or, in some cases, the construction of additional units upon land already connected to the system. The amount of this area charge shall be established by ordinance based on calculations provided by the City Engineer pursuant to the Trunk Sanitary Sewer Charge Policy adopted by the City Council.

**900.07 WAC and SAC Charges.**

- (A) **Residential SAC and WAC.** One SAC and one WAC shall be payable for each residential dwelling unit which is designated, used or intended for use or occupancy by a single family.
- (B) **Non-residential SAC and WAC.** Units of SAC and WAC for non-residential occupancies shall be calculated as follows:

<u>TYPE OF FACILITY</u>	<u>PARAMETER</u>	<u>UNITS</u>
Arenas	110 seats	1
Automobile Service Center	2 service bays	1
Ballroom w/o Liquor	825 sq. feet	1
Ballroom w/Liquor	590 sq. feet	1
Bank	2,400 sq. feet	1
Banquet Room - food catered	2,060 sq. feet	1
food catered w/dish wshg.	1,180 sq. feet	1
food prepared w/dish wshg.	825 sq. feet	1
food prepared dish wshg. liq.	590 sq. feet	1
Barber Shop	4 chairs	1
Beauty Salon	4 stations	1
Boarding House	5 beds	1
Body Shop (no vehicle washing)	14 employees	1

<u>TYPE OF FACILITY</u>	<u>PARAMETER</u>	<u>UNITS</u>
Bowling Alley (not including bar or dining)	3 alleys	1
Car Wash (self service)	1 stall	3
Car Wash special determination	-	-
Cash Wash (Service Station)	-	6
Churches (Sanctuary only) (for remainder use other criteria)	275 seats	1
Cocktail Lounge	23 seats	1
General Office Building	2,400 sq. feet	1
Handball and Racquet Ball Courts	1 court	2
Laundromats (require water collection for cycle time, 8 cycles per day)	274 gallons	1
Motels and Hotels (assumes 2 persons/rm)	2 rooms	1
Nursing Home	3 beds	1
Restaurant (drive in) (No additional for 24-hour service or cocktail lounge service)	9 spaces	1
Restaurant (fast food)	22 seats	1
Restaurant	8 seats	1
Retail Store	3,000 sq. feet net	1
Rooming House	7 beds	1
Schools (elementary)	18 students	1
Schools (nursery) number of students licensed for:	14 students	1
Schools (secondary)	14 students	1
Service Stations (gas pump only)	-	1
Service Stations (w/service center)	-	2
Service Stations (w/service & car wash)	-	8
Swimming Pool (Public)	900 sq. ft. pool area	1
Tennis Courts (Public)	1 court	2
Theater	2 screens or 275 seats (whichever is greater)	1
Theater (drive-in)	55 spaces	1
Warehouses	7,000 sq. feet	1

Units of SAC and WAC for non-residential occupancies not listed above shall be determined according to the listings published in the "Service Availability Charge Procedural Manual" (January 2010) as published by the Environmental Services Divi-

sion of the Metropolitan Council (St. Paul Minnesota).

- (C) **Determination of Occupancy.** The Building Inspector shall calculate the SAC and WAC based on the guidelines in § 900.07(A) and (B). In cases where the occupancy is not exactly as listed, the Building Inspector shall determine which of the occupancies is most similar in sewer and water usage and calculate the SAC and WAC accordingly. Applicants may appeal the decision of the Building Inspector to the City Administrator in writing stating the facts and giving reasons why the determination of the Building Inspector is in error. The Administrator shall provide a written determination either supporting or modifying the Building Inspector's determination. The applicant may then appeal to the City Council which shall make a final determination.
- (D) Each structure shall have a separate connection to the sewer and water main. The city shall approve the design and materials for such connections. Multiple occupancies in a single structure may be allowed a common connection to the main if approved by the city.

The SAC and WAC charges for any use not listed above shall be set according to the Twin City Area Metropolitan Council's "Service Availability Charge Procedure Manual" dated January, 2005, and as amended from time to time.

**900.08 Sewer and Water Charges.** The following user charges may be set from time to time by ordinance of the City Council: *amended 2-9-21 #680*

- (A) SAC and WAC;
- (B) Sewer user charges;
  - (1) The sewer user charges shall be based on water usage and may include a minimum usage for each connection. If actual water usage is not available, the city shall estimate usage by considering similar occupancies.
  - (2) Each dwelling unit or commercial or other occupancy shall be charged a separate fee.
  - (3) The Sewer Fee Schedule adopted by ordinance upon enactment of this chapter shall be published in the local newspaper and shall be effective upon publication.
  - (4) Discharge of wastewater with strength in excess of Normal Domestic Strength Wastewater (NDSW) shall be billed as defined in Chapter 920. Sewer usage shall be metered.
- (C) Sewer Trunk Area Charge

**900.09 Collection of Charges.** Unpaid SAC and WAC are hereby made a charge against the owner; and sewer user charges are hereby made a charge against the owner, lessee or occupant

of any premises served by the sewer and water connections. Upon failure of the owner, lessee or occupant to pay said charges as described in this section, the city shall have the right to recover said amounts, together with reasonable attorney's fees, in any court of competent jurisdiction, and may certify the unpaid charges, attorney's fees, court costs, and disbursements to the County Auditor to be collected with taxes against the property as other taxes are collected.

### Chapter 910 - Charges

#### **910.01 Sewer Fee Schedule.** *amended 2-9-12 ord #680, amended 6-28-12 ord #688*

- (A) (1) The City hereby establishes a Sewer Fee Schedule. All revenue collected from users of the wastewater treatment facilities will be used for annual operation, maintenance, replacement and capital costs. Each user shall pay a proportionate share of operation, maintenance and replacement costs based on the users proportionate contribution to the total wastewater flow and loading.
- (2) Charges to users of the wastewater treatment facility shall be determined and fixed in the Sewer Fee Schedule. The Sewer Fee Schedule shall include charges for both wastewater flow and extra strength wastewater. Subsequent changes in the sewer service fees and charges shall be adopted by Council ordinance and published in the local paper.
- (3) Unless noted otherwise in this ordinance, for commercial and residential users of the sewer system, the monthly sewer fee shall be determined by the average monthly usage for the four winter months (December, January, February and March) times the rate adopted by Council ordinance. That rate shall be recalculated every April and then used for the following twelve (12) months.
- (4) For commercial car wash facilities, the monthly sewer fee shall be determined by the actual water usage for the billing month times the rate adopted by Council ordinance.
- (5) The minimum monthly usage for a residential property shall be 2,000 gallons times the rate adopted by Council ordinance and the minimum monthly usage for a commercial property shall be 4,000 gallons times the rate adopted by Council ordinance.
- (6) Revenues collected through the Sewer Fee Schedule shall be deposited in a separate fund known as the Sewer Service Fund (SSF).

**910.02 Reporting Forms for Commercial, Institutional and Industrial.** Each commercial, institutional or industrial building requires a separate reporting form named PS 78-A and PR 78-B and must be completed by indicating the occupancy, the address of the facilities, the number of employees, the total square feet and the type of facility or business. The assignment of units will be based on the completed forms, if they are not listed in the standard units. All industrial users must complete these forms which will be reviewed and approved

prior to the issuance of the building permit by the Sewer Superintendent and the Sewer Commissioner.

**910.03 Use of Sewer Usage Monies.** From the fund shall be paid all reasonable costs of operating, maintaining and repairing the sanitary sewer system and sewage treatment plant of the city and all inspection costs of connecting to the system.

### Chapter 920 - Sewers

**920.01 Definitions.** For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. *amended 2-9-21 #680*

- (A) “Act” means the Federal Water Pollution Control Act, also referred to as the Clean Water Act, as amended, 33. USC 1251 *et seq.*
- (B) “BOD<sub>5</sub>” or “Biochemical Oxygen Demand” means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five days at 20 degrees Centigrade and as expressed in terms of milligrams per liter (mg/l).
- (C) “Building drain” means that point of a building which conveys wastewater to the building sewer, beginning immediately outside the building wall.
- (D) “City” means the area within the corporate boundaries of the City of Princeton, the City Council or its authorized representative.
- (E) “Debt service charge” means a charge to users of the wastewater treatment facility for the purpose of repaying capital costs.
- (F) “Extra Strength Wastewater” means wastewater with concentrations of biochemical oxygen demand (BOD<sub>5</sub>), total Kjeldahl nitrogen (TKN), total phosphorus (TP) or total suspended solids (TSS) in excess of the definition of normal domestic strength wastewater (NDSW).
- (G) “Industrial user” means:
  - (1) Any entity as defined in the *Standard Industrial Classification Manual* (latest edition) as categorized, that discharge wastewater to the public sewer.

Division A: Agriculture, Forestry and Fishing;

Division B: Mining;

Division D: Manufacturing;

Division E: Transportation, Communications, Electric, Gas and Sanitary Sewers;

Division I: Services

- (2) Any user whose discharges, singly or by interaction with other wastes:
  - (a) Contaminate the sludge of the wastewater treatment system;
  - (b) Injure or interfere with the treatment process;
  - (c) Create a public nuisance or hazard;
  - (d) Have an adverse effect of the waters receiving wastewater treatment plant discharges;
  - (e) Exceed NDSW limitations;
  - (f) Exceed normal residential unit volumes of wastewater.
- (H) “Infiltration/Inflow (I/I)” means water other than wastewater that enters the sewer system from the ground or from surface runoff, as defined in Minnesota Rules.
- (I) “MPCA” means Minnesota Pollution Control Agency.
- (J) “National categorical pretreatment standards” means federal regulations establishing pretreatment standards for introduction of pollutants in publicly owned wastewater treatment facilities. Section 307(b) of the Act.
- (K) “National Pollutant Discharge Elimination System (NPDES) Permit” means a permit issued by the MPCA, setting limits on pollutants that a permittee may legally discharge, pursuant to Sections 402 and 405 of the Act.
- (L) “Natural outlet” means any outlet, including storm sewers and combined sewers, which flows into a body of surface water or ground water.
- (M) “Normal Domestic Strength Wastewater (NDSW)” means wastewater with biochemical oxygen demand (BOD<sub>5</sub>) concentration not greater than 250 mg/l, total Kjeldahl nitrogen (TKN) concentration not greater than 45 mg/l, total phosphorus (TP) concentration not greater than 7 mg/l or total suspended solids (TSS) concentration not greater than 300 mg/l. Exceeding any one of these parameters individually or in combination shall be cause for exceeding NDSW.
- (N) “Normal Domestic Strength Waste (NDSW)” means wastewater that is primarily introduced by residential users with BOD<sub>5</sub> concentrations not greater than 250 mg/l and total suspended solids (TSS) concentrations not greater than 300 mg/l.
- (O) “Non-residential users” means a user of the treatment facility whose building is not used as a private residence and discharges NDSW.
- (P) “Operation, Maintenance and Replacement Costs (OM&R)” means expenditures necessary to provide for the dependable, economical and efficient functioning of the

treatment facility throughout its design life, including operator training, and permit fees. Replacement refers to equipment replacement costs, not the cost of future replacement of the entire facility.

- (Q) “Residential user” means a user of the treatment facility whose building is used primarily as a private residence and discharges NDSW.
- (R) “Sewer” means a pipe or conduit that carries wastewater or drainage water.
  - (1) “Building sewer” means the extension from the building drain to the public sewer or other place of disposal, also referred to as a service connection. The responsibility of maintaining the building sewer is the property owner’s.
  - (2) “Sanitary sewer” means a sewer designed to carry only liquid and water-carried wastes from residential, non-residential and industrial sources, together with minor quantities of I/I.
  - (3) “Storm sewer” means a sewer intended to carry unpolluted surface and subsurface water from any source.
- (S) “Sewer fee schedule” means the total of the user charge and the debt service charge.
- (T) “Slug” means a discharge of water or wastewater which in concentration or in quantity of flow exceeds for any period of duration longer than 15 minutes, more than 5 times the average 24-hour concentration of flows during normal operation.
- (U) “State Disposal System (SDS) Permit” means a permit issued by the MPCA pursuant to M.S. § 115.07 for a disposal system, as defined by M.S. § 115.01, Subd. 8, as amended from time to time.
- (V) “Total Kjeldahl Nitrogen (TKN)” means the sum of the concentrations of organic nitrogen, ammonia and ammonium in the wastewater.
- (W) “Total Phosphorus (TP)” means the sum of the concentrations of organic and inorganic phosphorus in the wastewater and includes both soluble and particulate phosphorus.
- (X) “Total Suspended Solids (TSS)” means the total suspended matter that either floats on the surface of, or is in suspension in water, wastewater or other liquids and is removable by laboratory filtering as prescribed in *Standard Methods for the Examination of Water and Wastewater* (latest edition).
- (Y) “Unpolluted water” means water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards. An example could be non-contact cooling water.
- (Z) “User charge” means a charge to users of a treatment facility for the user’s propor-

tionate share of the cost of operation and maintenance, including replacement.

- (AA) “Wastewater” means liquid and water-carried wastes from residential, non-residential and industrial users, together with any ground water, surface water and storm water that may be present.
- (BB) “Wastewater treatment facilities” or “treatment facilities” means the land, devices, facilities, structures, equipment and processes owned or used by the city for the purpose of the transmission, storage, treatment, recycling and reclamation of municipal wastewater and the disposal of residues resulting from such treatment.

**920.02 Control by the Authorized Representative.** The Public Works Director or other authorized employee shall have control and general supervision of all public sewers and service connections in the community and shall be responsible for administering the provisions of this chapter to ensure that a proper and efficient public sewer is maintained. The Public Works Director or other authorized employee may delegate responsibilities to designated representatives.

**920.03 Use of The Public Sewers And Water Systems Required.**

- (A) Within 60 days of receiving official notification, the owners of all properties within 150 feet of either or both a sanitary sewer collection system or a city water system shall install a suitable service connection at their own expense in accordance with the provisions of this chapter.
- (B) In the event an owner shall fail to connect to either or both in compliance with a notice given under this chapter, the City and/or Public Utilities Commission will have the connection made and shall assess the cost against the benefitted property.
- (C) Except as provided hereinafter, it shall be unlawful to construct or maintain any private facility intended or used for the disposal of wastewater or the acquisition of potable water.

**920.04 Private Wastewater Disposal.**

- (A) Where a public sewer is not available under the provisions of this chapter, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this section.
- (B) Before construction of an onsite sewage treatment system the applicant shall apply for a permit and pay a fee as set from time to time by ordinance of the City Council. The Zoning Administrator shall review the application and make a finding that the proposed construction cannot be served economically by the municipal sewer system, that an onsite system will provide adequate treatment, and that an onsite treatment system will not be injurious to the public health or welfare. The applicant may appeal the Zoning Administrator's decision to the Planning Commission and then to the City Council. The applicant shall provide information necessary for the review of the permit application. The City Council shall set an application fee by ordinance from

- time to time.
- (C) The type, capacities, location and layout of a private wastewater disposal system shall comply with all requirements of Minn. Rules Ch. 7080, as amended from time to time, and applicable local ordinances.
  - (D) The owner(s) shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times at no expense to the community or sewer district.
  - (E) When the public sewer becomes available to a property serviced by a private wastewater disposal system, a direct connection shall be made to the public sewer within 60 days in compliance with this chapter and within an additional 30 days private wastewater disposal systems will be cleaned of all sludge. The bottom shall be broken to permit drainage and the tank or pit filled with suitable material.
  - (F) No statement contained in this chapter shall be construed to interfere with any additional requirements that may be imposed by the MPCA, the State Department of Health or other responsible federal, state or local agencies.

#### **920.05 Building Sewers and Connections Design.**

- (A)
  - (1) No person(s) shall make any alterations to the public sewer or any appurtenances thereof without first obtaining a written permit from the city. No private building drain shall extend beyond the limits of the building or property for which the permit has been given.
  - (2) Any new connection to the sanitary sewer system shall be prohibited unless sufficient capacity is available in all downstream facilities, including, but not limited to capacity for flow, BOD<sub>5</sub> and TSS as determined by the authorized representative.
- (B)
  - (1) A separate and independent building sewer shall be provided for each building. Old building sewers may be used to service new buildings only when they are found to meet all requirements of this chapter.
  - (2) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, wastewater shall be lifted by an approved means and discharged to the building sewer.
- (C) The construction and connection of the building sewer to the public sewer shall conform to the requirements of the State of Minnesota Building and Plumbing Code, applicable rules and regulations of the city and the materials and procedural specifications set forth in the American Society of Testing Materials (ASTM) and the Water Environment Federation (WEF) Manual of Practice No. 9. All such connections shall be made gas and watertight and verified by proper testing to prevent I/I.
- (D) No unpolluted water sources shall be connected to the sanitary sewer.

- (E) The applicant for the building sewer permit shall notify the city when the building sewer is ready for connection to the public sewer. The connection shall be made under the supervision of a designated representative.
- (F) An appropriate construction permit is required to install a service connection. Any person desiring a permit shall apply in writing to the City Council, providing satisfactory evidence of the applicant's qualifications.
- (G) A permit for sewer service connection installation shall not be issued until a certificate of insurance is filed and approved by the city. The permittee will indemnify the City from all suits, accidents and damage that may arise by reason of any opening in any street, alley or public ground, made by the permittee or by those in the permittee's employment.
- (H) The Council may suspend or revoke any permit issued under this section for any of the following causes:
  - (1) Giving false information in connection with the application for a permit;
  - (2) Incompetence of the permittee;
  - (3) Willful violation of any provisions of this section or any rule or regulation pertaining to the making of service connections;
  - (4) Failure to adequately protect and indemnify the city and the user.

**920.06 Use of Public Wastewater Treatment Facilities.** *amended 2-9-21 #680*

- (A) No unpolluted water or stormwater shall be discharged to the sanitary sewer. Such water shall be discharged only to storm sewers or to natural outlets approved by the city and other regulatory agencies.
- (B) No person(s) shall discharge any of the following substance to the public sewer:
  - (1) Liquids, solids, gases or other substances which singly or by interaction with others may cause fire or explosion;
  - (2) Solid or viscous substances which may cause obstruction to the flow in a sewer;
  - (3) Wastewater having a pH of less than 5.0 or greater than 9.5 or having any other corrosive or caustic property capable of causing damage or hazard;
  - (4) Wastewater containing toxic pollutants, as defined in Section 307(a) of the Water Pollution Control Act and M.S. § 115.01, Subd. 14, as amended from time to time.

- (C) Wastewater with BOD<sub>5</sub> TKN, TP or TSS levels above NDSW, except as may be permitted by specific written agreement with the city or through a discharge permit issued by the city, subject to division (K) of this section.
- (D) (1) In the event of discharges to the public sewers which contain substances or possess characteristics prohibited in §920.07 or which in the judgment of the representative may have a deleterious effect to the treatment facility, receiving waters, soils, vegetation or which create a hazard or nuisance, the representative may:
  - (a) Refuse to accept the wastes;
  - (b) Require pretreatment to an acceptable condition for discharge to the public sewers, pursuant to Section 307(b) of the Act and all addenda thereof;
  - (c) Require control over the quantities and rates of discharge;
  - (d) Require payment to cover all the added costs of handling, treating and disposing of wastes not covered by existing taxes or sewer charges. Added costs shall include capital costs, as well as operation and maintenance costs for that portion of the facilities used for handling, treating and disposing of these waters.
- (2) If the representative permits the pretreatment or equalization of waste flows, the design, installation, maintenance and efficient operation of the facilities and equipment shall be at the owner's expense and shall be subject to review and approval by the city pursuant to the requirements of the MPCA.
- (E) No user shall increase the use of process water or in any manner attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in this section, the National Categorical Pretreatment Standards and any state or local requirement.
- (F) (1) Grease, oil and sand interceptors shall be provided at the owner's expense when, in the opinion of the representative, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, any flammable wastes, sand or other harmful ingredients. All interceptors shall be readily and easily accessible for cleaning and inspection. The owner shall be responsible for the maintenance of interceptors, including proper removal and disposal of the captured materials by appropriate means, and shall maintain a record of dates and means of disposal which are subject to review by the representative.
- (2) Any material removal and hauling must be performed by the owner's personnel or a currently licensed waste disposal firm and in compliance with all applicable laws and regulations.

- (G) Where required by the representative, industrial users shall install and maintain at their own expense a suitable structure or control manhole with such necessary meters and other testing equipment needed to facilitate observation, sampling and measurement of wastewater. The manhole will be safe and accessible at all times. The Council may require submission of laboratory analyses to illustrate compliance with this chapter and any special conditions for discharge established by the Council or responsible regulatory agency. All measurements, tests and analyses to which reference is made in this chapter shall be determined in accordance with the latest edition of *Standard Methods for the Examination of Water and Wastewater*, published by the American Public Health Association and kept for a period of five years.
- (H) (1) Where required by the representative, users shall provide protection from an accidental discharge of substances regulated by this chapter. Where necessary, facilities to prevent accidental discharges of prohibited materials shall be provided and maintained at the owner's expense. Detailed plans and operating procedures of said facilities shall be submitted to the representative for review and approval prior to construction of the facility. Approval of such plans and operating procedures shall not relieve user from the responsibility of modifying the facility as necessary to meet the requirements of this chapter.
- (2) Users shall notify the representative immediately if a slug or accidental discharge of wastewater occurs in violation of this chapter. Notification will allow measures to be taken to minimize damage to the treatment facilities. Notification will not relieve users of liability for any expense, loss or damage to the treatment facilities or for fines imposed on the community or sewer district by any state or federal agency as a result of their actions.
- (3) A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees of the emergency notification procedure in the event of a slug or accidental discharge.
- (I) (1) No person shall permit any substance or matter which may form a deposit or obstruction of flow to be discharged into the public sewer. Whenever any service connection becomes clogged, obstructed, detrimental to the use of the public sewer or unfit for the purpose of drainage, the owner shall make repairs as directed by the representative.
- (2) Each day that the owner neglects to make said repairs, shall constitute a separate violation of this section. The representative may cause the work to be done and recover related expenses from the owner or agent by an action in the name of the city.
- (J) In addition to penalties that may be imposed for violation of any provision of this section, the city may assess against the user/owner the cost of repairing or restoring sewers and associated facilities damaged as a result of the discharge of prohibited wastes and may collect the assessment as an additional charge for the use of the pub-

lic sewer system.

- (K) No statement contained in this section shall prevent any special agreement or arrangement between the city and any industrial user. Industrial waste of unusual strength or character may be accepted by the facility for treatment, subject to adequate payment by the industrial user, providing that National Categorical Pretreatment Standards and the city's NPDES and SDS permit limitations are not violated.

**920.07 Prohibition of Tampering and Vandalism to Wastewater Treatment Facilities.** No person(s) shall willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the wastewater treatment facilities. Any person violating this provision shall be subject to immediate arrest under the charge of a misdemeanor and punished as provided in § 100.99.

**920.08 Powers and Authority of Inspectors.**

- (A) Duly authorized employees of the community, bearing proper credentials and identification, shall be permitted to enter all properties for inspection, observations, measurement, sampling, testing, repair and maintenance in accordance with the provisions of this chapter.
- (B) Industrial users shall be required to provide information concerning industrial processes which have a direct bearing on the type and source of discharge to the collection system. An industry may withhold information considered confidential. However, the industry must establish that the information in question might result in an advantage to competitors and that the industrial process does not have deleterious results on the treatment process.

**920.99 Penalties.**

- (A) Upon determination that a user has violated or is violating applicable provisions of this chapter or related permits, the authorized representative may issue a notice of violation. Within one business day of such notification, the violator shall submit to the authorized representative an adequate explanation for the violation and a plan for the correction and prevention of such occurrences, including specific actions required. Submission of such a plan in no way relieves the violator of liability for any violations occurring before or after the issuance of the notice of violation. A violation is a misdemeanor, punished as provided for in § 100.99. Each day a violation continues is a separate offense.
- (B) Any violation is also subject to a charge not exceeding \$1,000. Each day in which any such violation occurs shall incur an additional charge. These charges may be added to the user's next sewer service charge and will hence be subject to the same collection regulations as specified in this chapter. Users desiring to dispute a charge must file a request for the Public Works Director or other authorized employee to reconsider within five business days of the issuance of the fine. If the Public Works Director or other authorized employee believes that the request has merit, a hearing on

the matter shall be convened within 21 days of the receipt of this request.

- (C) To collect delinquent sewer service charge accounts, the city may file a civil action suit or levy a lien against the violator. Related attorneys fees fixed by court order shall also be collected. The violator shall be liable for interest on all balances at a rate of 12% annually. Delinquent sewer service charges may be certified by the City Administrator and forwarded to the County Auditor for collection with taxes levied against the property.
- (D) Any person violating any of the provisions of this chapter shall become liable to the city for any expense, loss or damage occasioned by the city by reason of such violation.

### **Chapter 925 – Discharge of Fats, Oil and Grease (FOG)**

*Added 6-23-11 ord #660, Amended 5-28-15 ord #718*

**925.01. Purpose and Policy.** This chapter sets forth uniform requirements for Food Service Establishments (FSEs) that discharge wastewater to the City of Princeton sanitary sewer. The objectives of this chapter are:

- (A) To prevent the excessive introduction of fats, oil and grease (FOG) into the sewer system and the wastewater treatment plant;
- (B) To prevent the accumulation of grease within the sewer system which can lead to sanitary sewer pipe blockages and subsequent back-ups and sanitary sewer overflows (SSO);
- (C) To reduce the costs of maintaining the sewer system by preventing the accumulation of grease and residue within the sewage system lines and ensure that the cost of maintaining the public sewer system is equitably distributed amongst users;
- (D) To clarify grease disposal requirements for FSEs;
- (E) To protect public health and safety from pollution caused by SSO.

**925.02. Administration.** Except as otherwise provided herein, the Public Works Director, Waste Water Treatment Plant Manager or designated representative, shall administer, implement, and enforce the provisions of this chapter.

**925.03. Definitions.** Unless the context specifically indicates otherwise, the following definitions represent the meanings of terms as they are used in this chapter:

- (A) “Best Management Practices (“BMPs”)” – A schedule of activities, prohibition of practices, maintenance procedures, and other management practices to prevent or reduce the introduction of FOG to the sanitary sewer system.
- (B) “Fats, Oils, and Grease (“FOG”)” – Any substance, such as vegetable, animal or other product that is used in, or is a by-product of, the cooking or food preparation pro-

cess, and that turns or may turn viscous or may solidify with a change in temperature or other conditions. FOG may originate from, but not limited to, discharges from scullery sinks, pot and pan sinks, dishwashing machines, soup kettles and floor drains located in areas where grease-containing materials may exist.

- (C) “Food Service Establishment (“FSE”)- Food service facility licensed by the City of Princeton that prepares and/or provides food for consumption.

“Class 1 FSE” - Any establishment where a grill, deep fry unit, broaster, wok or grease producing process is used to prepare food. All new Class 1 FSEs are required to install approved Grease Interceptor(s). All new and existing Class 1 FSEs are required to implement and adhere to the best management practices in this Ordinance.

“Class 2 FSE” – Any establishment using only a heat-producing device, such as a microwave, conventional oven, toaster oven, hot dog rotisserie, coffee maker, etc. to prepare food and/or any food establishment that prepares and/or serves meals two or fewer times per week or satellite food service establishments where primary food preparation is conducted offsite or initial preparation of foods does not occur. A satellite food service facility is one that maintains thoroughly cooked food hot. All Class 2 FSEs must implement and adhere to the best management practices in this Ordinance.

- (D) “Food Waste Disposal Unit” - A device that shreds or grinds up solid or semisolid waste material into smaller portions for disposing it in the sanitary sewer. These devices are also referred to as grinders, garbage grinders and garbage disposals.
- (E) “Grease Interceptor” - A vault that is located on the exterior of the building which has a minimum of two compartments. The capacity of the interceptor provides adequate residence time so that the wastewater has time to cool, allowing grease to congeal and rise to the surface where it accumulates until the interceptor is cleaned.
- (F) “Grease Interceptor Waste” - Any grease, food particles, organic or inorganic solid or semisolid waste collected and intercepted by a grease interceptor usually in layers of floatable, suspended and settleable substances, which are ultimately removed for proper disposal.
- (G) “Grease Trap” – A grease removal device located within the facility, which helps to protect the internal plumbing from grease clogs.
- (H) “Grease Removal Device” - An interceptor, trap or other mechanical device designed, constructed, and intended to remove, hold, or otherwise prevent the passage of grease to the sanitary sewer.
- (I) “Sanitary Sewer Overflow” (SSO) – Any unplanned discharge from the separate sanitary sewer system.
- (J) “Twenty-five percent rule” - A requirement of when grease interceptors shall be fully

pumped out and cleaned. This rule requires that when the combined FOG (including floating solids) and the settled solids accumulation reaches 25% of the total designed hydraulic depth of the grease interceptor, the grease interceptors shall be fully pumped out and cleaned. This requirement will help to ensure that the minimum hydraulic detention time and the required available hydraulic volume are maintained to effectively intercept and retain FOG in the interceptor.

Additional definitions relevant to this chapter are contained in Chapter 920.01 of the Princeton City Ordinances.

**925.04. Facilities Required to Remove Grease.** All new Class 1 FSEs shall install grease interceptors to prevent the discharge of FOG to the building drainage system and the public sewer system. Grease interceptors shall be installed to receive the drainage from plumbing fixtures and equipment with greaseladen wastewater located in FSEs. Grease interceptors are not required for residential dwelling units.

Existing Class 1 FSEs shall install grease interceptors when they make substantial equipment upgrades or repairs, or when they make substantial structural alterations or expansions, or any time the City Council finds that septage from a Class 1 FSE exceeds 300 milligrams of FOG per liter. All Class 1 and Class 2 FSEs shall implement and adhere to the BMPs in this Ordinance.

**925.05. Best Management Practices.** To minimize the discharge of FOG into the sanitary sewer system, the following Best Management Practices shall be implemented by all classes of FSEs. This includes kitchen practices and employee training that are both essential in minimizing FOG discharges:

- (A) Installation of drain screens. Drain screens shall be installed on all drainage pipes in food preparation areas. This includes kitchen sinks, floor drains and mop sinks.
- (B) Segregation and collection of waste cooking oil. All waste cooking oil shall be collected and stored properly in recycling receptacles. Such recycling receptacles shall be maintained to ensure that they do not leak. Licensed waste haulers or an approved recycling facility must be used to dispose of waste cooking oil. This would not apply to FSEs without deep fry units.
- (C) Disposal of food waste. Food wastes shall be disposed of directly into the trash or garbage, and not into the public sanitary sewer or storm water system.
- (D) Employee training. All FSE's shall provide all employees with BMP training as part of the normal orientation process and annually thereafter including, at a minimum, the following subjects.
  1. How to "dry wipe" pots, pans, dishware and work areas before washing to remove grease.
  2. How to properly dispose of food waste and solids in enclosed plastic bags prior to

disposal in trash bins or containers to prevent leaking and odors.

3. The location and use of absorption products to clean under fryer baskets and other locations where grease may be spilled or dripped. All FSEs are responsible to safely install materials to meet this requirement.
  4. How to properly dispose of grease or oils from cooking equipment into a grease receptacle without spilling.
  5. Training shall be documented and employee signatures retained indicating each employee's attendance and understanding of the practices reviewed. Training records shall be available for review at any reasonable time by a City inspector.
- (E) Kitchen signage. FOG control practices shall be posted in food preparation and dishwashing areas at all times.
- (F) Grease removal devices. All FSEs shall maintain their grease removal devices in accordance with this Ordinance.

**925.06. New Construction.** All new Class 1 FSEs shall install grease interceptors in accordance with the Plumbing Code. All classes of FSEs are required to submit the drainage plumbing plans to the Public Works Director, Waste Water Treatment Plant Manager, or designee for approval prior to obtaining a building permit. Failure to construct in accordance with approved plans is a violation of this ordinance.

New FSEs that are required to maintain a grease interceptor by this or other applicable ordinances, shall install such a unit prior to commencement of discharge to the sanitary sewer.

**925.07. Existing Users.**

- (A) Existing Class 1 FSEs not equipped with a grease interceptor shall install an adequately sized grease interceptor in accordance with the specifications of this ordinance when they make substantial equipment upgrades or repairs, or when they make substantial structural alterations or expansions, or any time the City Council finds that septage from a Class 1 FSE exceeds 300 milligrams of FOG per liter.
- (B) An Existing Facility changing from a Class 2 FSE to a Class 1 FSE shall be required to install an approved grease interceptor in accordance with the specifications of this Ordinance.

**925.08 Grease Interceptor Sizing Criteria.** All grease interceptors shall be of a type and capacity approved by the Public Works Director or Waste Water Treatment Plant Manager and shall be so located to be easily accessible for cleaning and inspection. The size, type and location of each grease interceptor shall be approved by the Public Works Director or Waste Water Treatment Plant Manager before installation. The Public Works Director or Waste Water Treatment Plant Manager is authorized to make determinations of grease interceptor adequacy and need, based upon a review of relevant information regarding grease interceptor performance, maintenance, and facility site and

building plan review and to require repairs to, and modification or replacement of such interceptors.

- (A) The size of the grease interceptor shall be determined using the following flow based criteria:

FIXTURE TYPE	# OF FIXTURES	FLOW (GPM)	TOTAL FLOW (GPM)
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**Kitchen Area Sinks:**

Single Compartment	_____	x 20 =	_____
Double Compartment	_____	x 25 =	_____
Triple Compartment	_____	x 30 =	_____
Mop/Clean-up	_____	x 20 =	_____

**Dishwashers:**

1-30 gal. capacity	_____	x 15 =	_____
30-50 gal. capacity	_____	x 25 =	_____
50-100 gal. capacity	_____	x 40 =	_____

**Grand Total Flow =** \_\_\_\_\_

**Detention Time Factor** \_\_\_\_\_

(x10) =

**Required Grease Interceptor Capacity =** \_\_\_\_\_ **gallons**

- (B) FSEs that propose the use of alternate sizing techniques and/or procedures that result in specifications that differ from requirements calculated under Paragraph (A) 1, must submit formulas and other basis to support the proposed grease interceptor size/installation signed by a professional mechanical engineer registered in the State of Minnesota.

**925.09 Grease Trap Sizing Criteria.** Grease traps control limited amounts of FOG and are considered voluntary mechanisms to control FOG discharges from FSEs. However, if a FSE decides to install a grease trap, the following sizing guidelines are recommended. The volume of the fixtures connected to the grease trap should not exceed two and one half times the flow rate in gallons per minute of the grease trap. The following table provides the criteria that should be considered for grease trap sizing:

Rate of flow (gpm)	Maximum allowable	
	Grease retention Capacity (lbs.)	fixture volume in gallons _ .
20	40	50
25	50	62.5
35	70	87.5
50	100	125

**925.10 Grease Removal System Maintenance.** The owner or lessee of every FSE required to install or use a Grease Removal Device shall, at its own expense, inspect, clean, and maintain the Grease Removal Device in efficient operating condition at all times.

## (A) Facilities with Grease Interceptors

1. Unless otherwise specified by the Public Works Director or Waste Water Treatment Plant Manager, each interceptor in active use shall be cleaned at least once every three months or when the total accumulation of surface FOG (including floating solids) and settled solids reaches twenty-five percent (25%) of the grease interceptor's overall liquid depth (25 Percent Rule), whichever comes first. The Public Works Director or Waste Water Treatment Plant Manager may specify cleaning more frequently when quarterly pumping is shown to be inadequate. The Public Works Director or Waste Water Treatment Plant Manager may change the required maintenance frequency to reflect changes in actual operating conditions. Any Food Service Establishment desiring a schedule less frequent than quarterly shall submit a request to the Public Works Director or Waste Water Treatment Plant Manager along with the maintenance servicing records, including measurements of the thickness of the floating FOG and bottom solids layer, and volume removed.
2. A reduction in cleaning frequency may be granted by the Public Works Director or Waste Water Treatment Plant Manager when it has been determined that the FOG interceptor has adequate detention time for FOG removal. The cleaning frequency will depend on variables such as: (a) the capacity of the device, (b) the amount of grease in the wastewater, (c) the amount of solids in the wastewater and (d) degree of adherence to the FOG BMPs.
3. FSEs shall require the liquid waste hauler, transporter, or any other person cleaning or servicing an interceptor to completely evacuate all contents, including floating materials, wastewater, bottom solids, and grease during servicing. Skimming the surface layer of waste material, partial cleaning of the interceptor or use of any method that does not remove the entire contents of the collection device is prohibited. The suction of the floating materials shall be done prior to removal of other contents. After complete evacuation, the walls, top, and bottom of the interceptor shall then be thoroughly scraped and the residue removed. Upon completion of the servicing, the FSE manager or his/her designated representative shall inspect the interior of the interceptor and then document this servicing in the facility's grease removal device maintenance log. In the event that the interceptor is larger than the capacity of the vacuum truck, it shall be completely evacuated within a twenty four (24) hour period.
4. The discharge of liquid, semi-solids, or solids back into any waste water system, storm water system, or any location other than an approved disposal facility during and/or after servicing is prohibited. Decanting or discharging of any grease removal device wastes back into the grease removal device, any private sewer, any sewage drainage piping, any storm sewer system or any other grease removal device is prohibited.

## (B) Facilities with Grease Traps.

1. Grease traps shall be serviced at least weekly or when the amount of grease captured

is at 50% of the trap's capacity, whichever is sooner. After the accumulated grease has been removed, the grease trap shall be thoroughly inspected to make certain that the inlet, outlet, and air relief ports are clear of obstructions.

2. A reduction in cleaning frequency may be granted by the Public Works Director or Waste Water Treatment Plant Manager when it has been determined that the grease trap has adequate detention time for FOG removal. The cleaning frequency will depend on variables such as: (1) the capacity of the device, (2) the amount of grease in the wastewater, (3) the amount of solids in the wastewater and (4) degree of adherence to the FOG BMPs.
3. A flow control device must be installed before each grease trap.
4. A dishwasher or food grinder shall not be connected to a grease trap. Exemptions for existing facilities may be granted.
5. Grease traps must be regularly inspected for leaking seams, pipes, and flow control fitting(s) and repaired if necessary. Grease traps and their baffles shall be maintained free of all caked-on FOG and other waste. Removable baffles shall be removed and cleaned during the maintenance process.
6. Grease and other waste removed from the grease trap shall not be disposed of into any drain or sewer. Waste must be disposed of in accordance with federal, state and/or local laws.

- (C) Facilities with grease removal devices other than grease traps or grease interceptors must follow the manufacturer's recommendations for operation and maintenance.

**925.11 Bacteria, Enzymes and other Chemical Additives.** The introduction of bacteria, emulsifiers, de-emulsifiers, surface active agents, degreasers, or enzymes either directly or indirectly into a grease trap or grease interceptor, other than in typical business operation practices such as dishwashing or sanitation, is strictly prohibited.

**925.12 Interceptor Construction Requirements.** Grease interceptors shall be constructed in accordance with the Plumbing Code. There shall be a minimum of one (1) manhole per ten (10) feet of interceptor length to provide access for cleaning. Manhole covers shall be gastight in construction and have a minimum opening dimension of twenty-four (24) inches. Concrete covers are not acceptable. In areas where traffic may exist, the interceptor shall be designed for the appropriate traffic load. The access manholes shall extend at least to finished grade and be designed and maintained to prevent surface and ground water from entering the grease interceptor.

**925.13 Grease Trap Construction Requirements.** Grease traps may be installed on waste lines leading from kitchen floor drains, mop sinks, food preparation and washing sinks, and other fixtures or equipment where grease may be introduced into the sewer system. Class 1 FSEs that currently have grease traps shall retain and maintain them until they install a grease interceptor. FSEs that have grease traps or those that install them are subject to the requirements below:

- (A) The grease trap may be set on the floor or partially or fully recessed in the floor to suit piping and structural conditions. Baffle systems and all other internal pieces shall be removable to facilitate cleaning and replacement, but must be in place at all other times.
- (B) There shall be sufficient clearance for the removal of the trap cover for cleaning. The trap shall be equipped with a flow control fitting. A suitable flow control fitting shall be installed ahead of each trap in the waste line beyond the fixture and as close as possible to the underside of the lowest fixture. When wastes of two or more sinks or fixtures are combined for use by one grease trap, a single flow control fitting shall be used. All grease traps shall have a vented waste line to retain water and prevent siphoning.

**925.14 Abandoned Grease Interceptors.** An FSE that abandons grease interceptors shall have them removed.

**925.15 Record Keeping and Inspections.** Each FSE shall maintain a grease removal device maintenance log. The log shall include the dates of service, who performed the service and the disposal method. A record of maintenance, repairs, and a log of pumping and waste hauling of contents shall be maintained and provided to the pretreatment coordinator upon request.

- (A) All FSEs will be inspected periodically by the City. FSEs shall allow the City ready access at all reasonable times for the inspection of grease removal devices and all pertinent maintenance records for the grease removal devices.
- (B) Upon the showing of proper credentials, the Public Works Director or Waste Water Treatment Plant Manager shall have the authority to enter an FSE's premises for scheduled or unscheduled inspections. Failure of the Public Works Director or Waste Water Treatment Plant Manager to make prior arrangements for an inspection shall not be considered a legitimate reason to refuse admittance. An FSE must keep records associated with waste cooking oil collection and disposal, interceptor hauling and maintenance records on-site for a minimum of three (3) years and must be available for inspection by the Public Works Director or Waste Water Treatment Plant Manager during normal business hours. A separate maintenance log shall be maintained for each grease removal device. Grease removal device maintenance logs shall include at a minimum the following information:
  1. Identification of the grease removal device.
  2. The date that maintenance occurred.
  3. The volume of grease removed in gallons.
  4. The bottom solids fraction and floating grease layer that are removed and the total depth of the grease interceptor in inches.
  5. The name of the company and person(s) performing the maintenance.

The waste removed from the grease removal device must be disposed of in accordance with federal, state and/or local laws.

**925.16 Reporting.** When the Public Works Director or Waste Water Treatment Plant Manager has determined that an FSE must provide written reports, these reports shall be submitted in accordance with the requirements of the Public Works Director or Waste Water Treatment Plant Manager. Written reports required by this title will be deemed submitted upon actual receipt by the Public Works Director or Waste Water Treatment Plant Manager.

**925.17 Variance from Grease Interceptor Requirements.** A variance from the grease interceptor requirements may be allowed by the Public Works Director or Waste Water Treatment Plant Manager if it is shown that an alternative pretreatment technology is equally effective in controlling the FOG discharge. In determining whether or not to grant a variance, the Public Works Director or Waste Water Treatment Plant Manager shall consider the following:

- (A) Whether or not there is adequate space for installation and/or maintenance of a grease interceptor. The FSE must demonstrate that the installation of a grease interceptor is not feasible or advisable.
- (B) Whether or not the FSE can justify and demonstrate that an alternative pretreatment technology is equivalent or better than a grease interceptor in controlling its FOG discharge.
- (C) Any request for a variance must be made in writing to the Public Works Director or Waste Water Treatment Plant Manager. The written request must include all the reasons for the FSE's failure or inability to comply.

Upon a determination by the Public Works Director or Waste Water Treatment Plant Manager, in consultation with the Building Official and the Environmental Health Administrator that there are sufficient reasons to justify a variance, the FSE will be relieved to the extent expressly provided for in the variance. A variance shall contain terms and conditions that serve as basis for its issuance. A variance may be revoked at any time if any of the terms and conditions for its issuance are not satisfied or if the conditions upon which the variance was based change to the extent that the justification for the variance no longer exists. The variance shall be valid so long as the FSE remains in compliance with the terms and conditions specified in the variance.

Notice of the approval or denial of a variance shall be mailed to the applicant by United States mail and the Public Works Director or Waste Water Treatment Plant Manager shall prepare and file an Affidavit of Mailing.

Denial of a variance is subject to an appeal to the City Council. A written notice of appeal must be filed with the City Administrator within 15 days of mailing 10 days of receipt of the notice of denial. If no appeal is filed within the time specified the action of the Public Works Director or Waste Water Treatment Plant Manager shall be final.

Upon receipt of a notice of appeal the City Administrator shall set a date for a hearing within 15 days of receipt of the notice of appeal. Notice of the time and place for the hearing shall be served upon the applicant by United States mail at least five days before the hearing. The City Administrator

shall prepare and file an Affidavit of Mailing. The City Council shall hear such testimony and other evidence as it deems necessary and expedient and thereupon make its findings and decision, which shall be final.

**925.18 Surcharge For Noncompliant Class 1 Food Service Establishments.** Class 1 FSEs which do not install a grease interceptor shall pay a quarterly surcharge of \$\_\_\_\_\_ which shall be included in their quarterly utility bill statement. The amount of that surcharge will be determined pursuant to Section 925.19 of this Ordinance.

**925.19 Surcharge Fee Determination.** A comprehensive study will be undertaken to collect and evaluate data based, among other things, on the City's increased costs due to cleaning FOG from the sewer system, the cost of the treatment of additional FOG wastes, and any other factors affecting the elimination of FOGs from the sewer system. The results of that study shall be used to determine the surcharge amount noted under section 925.18.

**925.20 Severability.** In the event that any provision of this chapter is held to be invalid, illegal, unconstitutional or unenforceable under the laws of the State of Minnesota or the United States of America, such defect shall not affect the validity of the remaining provisions of this chapter which can be given effect without the defective provision or of this chapter as a whole. To this end, the provisions of this chapter are declared severable.

**925.21 Enforcement.** In the event that a FSE fails to maintain a grease removal device as required in this chapter, the FSE shall be given a seven day notice to perform the maintenance required by this chapter on the grease removal device. If after the seven day notice, the grease removal device is not serviced, the City may order the work to be performed by an approved contractor. The cost of the work shall be billed to the FSE. If the FSE fails to pay the full amount of the bill, the outstanding amount may be assessed against the property where the maintenance was performed.

**925.22 Administrative Fees.** No fee will be charged for an annual inspection. However, if the Food Service Establishment's grease removal device is not in compliance with this Ordinance, a \$50.00 re-inspection fee may be charged for each inspection thereafter until compliance is achieved.

**925.22 Penalty.** Any person violating any provision of this Ordinance, or providing false information to the City in connection therewith shall, upon conviction therefore, be punished as provided in the penalty section of this Ordinance.

### Chapter 930 – Certification of Past Due Accounts

**930.01 Certification of Past Due Accounts.** The City hereby establishes a procedure by which the City, in cooperation with the Public Utility Commission, shall certify severely past due sewer, water, garbage and electric bills to the appropriate County Auditor for collection with the subsequent year's property taxes due against the parcel for which said past due billing is owed.

(A) As needed, the PUC shall prepare a list of severely past due sewer, water, garbage

and electrical customers who failed to make their final payment.

- (B) Prior to the assessment, a letter shall be sent to the property owner (not the renter) advising of the delinquency and advising that if the balance is not paid in full within thirty (30) days of the letter that the amount due on that date will be certified to the County Auditor for collection with the following year's taxes. The certified amount shall include an amount equal to one year's interest as interest and penalty for the delinquency.
- (C) Following the above procedure, the PUC shall send the revised list of delinquent accounts meeting the above noted criteria to the city.
- (D) The City Council shall adopt an resolution certifying all accounts that meet the above specified criteria to each respective County Auditor for collection with the following year's property taxes.

### Chapter 940 – Water

#### 940.01 Private Wells – Limitations *amended 1-24-13 ord 695*

##### (A) Definitions:

- (1) **Domestic use** means water used for drinking or potable water, nonpotable water or irrigation purposes, but shall not include water from wells drilled for such purposes as dewatering, groundwater monitoring, heating or cooling, elevator borings or environmental bore holes.
- (2) **Irrigate** means to land apply water by any artificial means, including, but not limited to the diversion of surface waters, the pumping of ground water from wells, etc.
- (3) **Private Wells for Domestic Use** means any well not owned by Princeton Public Utilities (PUC) which is drilled for potable water, nonpotable water or irrigation purposes including sand point or drive point wells. "Private Wells for Domestic Use" shall not include wells drilled for such purposes as dewatering, groundwater monitoring, heating or cooling, elevator borings or environmental bore holes.
- (4) **Sand point or drive point well** means a well created by driving or pounding a casing into the ground until an aquifer is encountered..

##### (B) Private Wells for Domestic Use

- (1) **Proximity to PUC Water Utility Service Lines.** The drilling of new private wells for domestic use on any property to which PUC Water Utility Service is available within 500 feet is prohibited.
- (2) **Use of Existing Wells for Irrigation.** Wells already existing on the date this ordinance was passed may continue to be used for irrigation purposes only pursuant to the PUC's policy regarding such use.

#### 940.02 Reserved

#### 940.03 Lawn Watering - Limitations

- (A) The use water from the city water system to water trees, bushes and plants by use of a standard garden hose is permitted at all hours of the day, except:
  1. when there is a fire in any area served by the water system. At that point, all lawn and garden watering operations shall cease. All other unnecessary use of water must also cease.
  2. as further regulated in section (C), below.
- (B) Whenever Princeton Public Utilities determines that a shortage of water supply threatens the Public Utilities' service area, it may, by published notice, limit the times and hours during which water may be used for lawn or garden watering, irrigation, car washing, swimming pools, air conditioning or other uses. Notice of the limitations must be mailed or delivered to a violator, and the person may not violate the limitations after receipt of the notice. In addition, the Public Utilities may discontinue water service to any customer who causes or permits water to be used in violation of the provisions of the notice.
- (C) To conserve water resources, prevent the wasteful and harmful effects of sprinkling during mid-day hours, and allow the Public Utilities' water system adequate opportunity to replenish the water supply in the Public Utilities' water storage tanks, certain limitations must be placed on the use of the Public Utilities' water supply. During the period of May 1 through September 30 of any year, a person may only sprinkle or irrigate lawns, sod, seeded areas, gardens, shrubs, or other vegetation in the Public Utilities' service area:
  1. Before 11:00 a.m. and after 5:00 p.m.; and
  2. On calendar dates ending in an odd number on property with street addresses ending in an odd number, or on calendar dates ending in an even number on property with street addresses ending in an even number.
  3. No use of water for these purposes may occur between the hours of 11:00 a.m. and 5:00 p.m. on any day or in violation of the odd/even system established

above.

4. Exceptions. The restrictions established in paragraphs 2 and 3 do not apply to the use of water:
  - a. From a hose that a person holds by hand;
  - b. Under the conditions of a permit issued by the General Manager of the Princeton Public Utilities for special situations such as the watering of new sod; or
  - c. From a source of water other than the Public Utilities' water system if the water user has registered the other source with the Public Utilities, obtained a water appropriation permit if required under Minn. Stat. § 103B.211, Subd. 4, and posted a sign provided by the Public Utilities that clearly informs the public of the alternative water source.

If a person claims the privilege of an exception, the Public Utilities may inspect the person's property during reasonable times to ensure that there is compliance with this provision.

5. Penalties.
  - a. A violation of the restrictions contained in paragraphs 1 through 3 is a petty misdemeanor, except that a violation that is preceded within the previous 12 months by two or more violations of these paragraphs is a misdemeanor.
  - b. In addition, a civil penalty may be imposed for each day of violation. This penalty will be collected with water usage charges for the premises where the violation took place. The penalty will be \$50.00 for the first violation and will increase by the sum of \$25.00 each time for each succeeding violation. A penalty may be appealed by a written request for an appearance before the Public Utilities Commission, at their regularly scheduled meeting pursuant to Public Utilities regulations.

**Chapter 950 – Storm Water**

Section 950.01	Title
Section 950.02	Purpose and Intent
Section 950.03	Definitions
Section 950.04	Scope
Section 950.05	Storm Water Pollution Control Plan
Section 950.06	Review
Section 950.07	Modification of Plan
Section 950.08	Financial Securities
Section 950.09	Notification of Failure of the Storm Water Pollution Control Plan

Section 950.10	Enforcement
Section 950.11	Right of Entry and Inspection
Section 950.12	Abrogation and Greater Restrictions
Section 950.13	Other Statutes, Rules and Ordinances
Section 950.14	Severability

**950.01 Title.** This Article shall be known as the “Urban Storm Water Quality Management and Discharge Control Ordinance” and may be so cited.

**950.02 Purpose and Intent.** The purpose of this Article is to ensure the health, safety, and general welfare of citizens, and protect and enhance the water quality of watercourses and water bodies in a manner pursuant to and consistent with the Federal Clean Water Act (33 U.S.C. §1251 et seq.) by reducing pollutants in storm water discharges along with soil erosion and sedimentation in the City of Princeton. It establishes standards and specifications for practices and planning activities minimizing storm water runoff pollution, soil erosion, and sedimentation.

**950.03 Definitions.** The terms used in the Article shall have the following meanings:

- (A) **“Applicant”** Any person or entity applying for a building permit, subdivision or site plan approval, or a permit on behalf of an **Owner** to allow construction activities. Applicant also means that person’s agents, employees and others acting under this person’s direction.
- (B) **“Best Management Practices”** Activities, practices and procedures to prevent or reduce the discharge of pollutants directly or indirectly to the municipal storm drain system and waters of the state. Best Management Practices (BMPs) include but are not limited to; treatment facilities to remove pollutants from storm water; operating and maintenance procedures; facility management practices to control runoff, spillage or leaks of non-storm water, waste disposal, and drainage from materials storage; erosion and sediment control practices; and the prohibition of specific activities, practices, and procedures and such other provisions as the City determines appropriate for the control of pollutants. Examples of BMPs can be found in Minnesota Pollution Control Agency publication: “Protecting Water Quality in Urban Areas, Best Management Practices for Dealing with Storm Water Runoff from Urban, Suburban and Developing Areas of Minnesota”, March 1, 2000, as amended. The document is available at City of Princeton, City Hall or the Internet at <http://www.pca.state.mn.us/water/pubs/sw-bmpmanual.html>.
- (C) **“Construction Activity”** Any land change that may result in soil erosion and the movement of sediments into waters of the state, drainage systems or into adjacent properties, including clearing, grading, filling and excavating of one (1) or more acres.
- (D) **“Final Stabilization”** Means that all soil disturbing activities at the site have been completed, and that a uniform perennial vegetative cover with a density of seventy (70) percent of the cover for unpaved areas and areas not covered by permanent struc-

tures has been established, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed.

- (E) “**National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS)**” Means the programs for issuing, modifying, revoking, reissuing, terminating, monitoring, and enforcing permits under the Clean Water Act (33 U.S.C. § 1251 et seq.) and Minnesota Statutes, Section 115.03, and any subsequent amendments thereto.
- (F) “**Owner**” The person or party possessing the title of the land on which the construction activity will occur; or if the construction activity is for lease holder, the party or Individual identified as the lease holder.
- (G) **Storm Water Pollution Control Plan (SWPCP)** Means the same as a StormWater Pollution Prevention Plan prepared in accordance with the Minnesota Pollution Control Agency, General Permit Authorization to Discharge Storm Water Associated with Construction Activity Under the NPDES/SDS Program (Permit No. MN R100001). The SWPCP shall contain appropriate temporary and permanent erosion and sediment control measures that will decrease off-site non-point source pollution.
- (H) “**Waters of the State**” Means those waters as defined in Minnesota Statutes, § 11.01, subd. 22.

**950.04 Scope.** This Article applies to an **Owner** defined as a person, firm, sole proprietorship, partnership, public or private corporation, governmental subdivision or other entity proposing a construction activity of one (1) acre or more within the City of Princeton. An **Owner** shall apply to the City for the approval of a **Storm Water Pollution Control Plan (SWPCP)**. No land shall be disturbed until the City approves the SWPCP conforming to the standards set forth herein.

**950.05 Storm Water Pollution Control Plan (SWPCP).** The SWPCP shall contain appropriate temporary and permanent erosion and sediment control measures that will decrease off-site non-point source pollution.

- (A) **Requirement of the Storm Water Pollution Control Plan.** The SWPCP shall contain the following information in addition to that required within Permit No. MN R100001, Part III, A. 1-3:
- (1) The name, address and telephone number of the following individuals:
    - a. Owner
    - b. Applicant, if different than Owner
    - c. Person or firm responsible for SWPCP preparation
  - (2) A project description that includes the nature and purpose of the construction activity, the amount of grading, utilities, and building construction involved and the location of the project.
  - (3) A site map including existing topography, property information, steep slopes

- (>12%) and one hundred (100) year flood plain boundary, if available from a Flood Insurance rate Map (FIRM) or other water management authority.
- (4) A site construction plan including location of the proposed construction activity and the plan for the maintenance and inspection of the storm water pollution control measures, including the plan for disposal of collected sediment and floating debris.
- (5) Provisions to prevent sediment damage to adjacent properties and other designated areas such as drainage ditches, streams, wetlands and lakes.
- (6) A narrative plan for removal of temporary erosion and sediment control measures at the end of the project.
- (7) Calculations that were made for the design of such items as storm water runoff rate control, sediment basins, wet detention basins, diversions, waterways, infiltration zones and other applicable practices.
- (B) **Minimum Storm, Water Pollution Control Measures.** These minimum control measures are required where bare soil is exposed. Where additional control measures are needed, they will be specified at the discretion of the City.
- (1) The Applicant or his designated representative must properly install sediment control measures before the construction activity begins.
- (2) Divert Channeled runoff around disturbed areas and protect the channel.
- (3) If a storm water management plan involved directing some or all of the site's runoff to adjacent property, the applicant or his designated representative shall obtain from adjacent property owners any necessary easements or other property interests concerning the flowing of such water.
- (4) Scheduling the site's activities to lessen their impact on erosion and sediment creation, so as to minimize the amount of exposed soil.
- (5) Silt fence shall be required to hold all sheet flow runoff generated at an individual site, until it can either infiltrate or seep through silt fence's pores.
- (6) Temporary soils stockpiles must have silt fence or other effective sediment controls, and cannot be placed in surface waters, including storm water conveyances such as curb and gutter systems, or conduits and ditches.
- (7) Temporary rock construction entrances are required wherever vehicles enter and exit a site.
- (8) Streets must be cleaned and swept whenever tracking of sediments occurs and before sites are left idle for weekends and holidays. A regular sweeping schedule shall be established.

- (9) Water (impacted by the construction activity) removed from the site by pumping must be treated by temporary sedimentation basins, geotextile filters, grit chambers, sand filters, up-flow chambers, hydro-cyclones, swirl concentrators or other appropriate controls. Such water shall not be discharged in a manner that causes erosion or flooding of the site; receiving channels, adjacent property or a wetland.
  - (10) All storm drain inlets must be protected during construction until control measures are in place with either silt fence or an equivalent. Existing water bodies and wetlands shall have temporary erosion control devices installed around their respective perimeters to protect them from sediment deposits created by a construction activity.
- (C) **Temporary Sediment Basins** For common drainage locations that serve an area with 10 or more acres disturbed at one time, a temporary (or permanent) sediment basin must be provided prior to the runoff leaving the construction site or entering waters of the state. In addition to this requirement, the applicant is encouraged to install temporary sediment basins where appropriate in areas with steep slopes or highly erodible soils even if less than 10 acres drains to one area.
- (D) **Permanent Storm Water Pollution Controls**
- (1) Where a project's ultimate development replaces vegetation and/or other previous surfaces with 1 or more acres of cumulative impervious surface, a water quality volume of ½ inch of runoff from the new impervious surfaces created by the project must be treated in one of the following ways prior to the runoff leaving the construction site or entering waters of the state; wet sedimentation basin, infiltration/filtration, regional ponds, or a combination of practices.
  - (2) At a minimum these facilities must conform to the most current technology as reflected in the current version of the Minnesota Pollution Control Agency's publication "Protecting Water Quality in Urban Areas".
  - (3) Permanent storm water pollution controls to be designed by a professional engineer licensed in the State of Minnesota.
- (E) **Additional BMPs – Rum River.** If a construction activity is within 2,000 feet of the Rum River, the following BMPs are required in addition to those listed in Section 5 b) through 5e).
- (1) All exposed soil areas with a slope of 3:1 or steeper that have a continuous positive slope to the Rum River must have temporary erosion protection or permanent cover within 7 days after the area is no longer actively being worked.
  - (2) Temporary sediment basins described in Section 5d) must be used for common drainage locations that serve an area with five (5) or more acres disturbed at

one time.

- (3) The water quality volume that must be treated by the project's permanent storm water pollution controls described in Section 5e) shall be one (1) inch of runoff from the new impervious surfaces created by the project.
- (4) An undisturbed buffer zone of not less than 100 linear feet from the Rum River (not including tributaries) shall be maintained at all times. Exceptions from this requirement for the areas, such as water crossings or limited water access, are allowed if the **Owner** fully documents in the SWPCP the circumstances and reasons the buffer encroachment is necessary.

**(F) Inspection & Maintenance of Storm Water Pollution Control Plan's Measures.**

- (1) The applicant must inspect the construction site within 24 hours after a rainfall event where the total rainfall is greater than 0.25 inches in 24 hours.
- (2) Inspections may be performed by City staff to observe that erosion and sediment control measures are properly installed and maintained in accordance with the SWPCP. Construction stop orders may be issued by the City until erosion and sediment control measures are corrected in accordance with the SWPCP.
- (3) It shall be the responsibility of the applicant to obtain any necessary easements or other property interests to allow access to the storm water management facilities for inspection and maintenance purposes.
- (4) All storm water pollution control management facilities must be designed to minimize the need of maintenance, to provide easy vehicle and personnel access for maintenance purposes and are structurally sound.

**950.06 Review.** In accordance with Minn. Stat., Section 462.358, Subd. 3b., the City shall review the storm water pollution control plan and approve or disapprove within sixty (60) days of receiving the plan from the applicant.

**950.07 Modification of Plan.** An approved storm water pollution control plan may be modified upon submission of a written application for modification to the City, and after written approval by the City.

**950.08 Financial Securities.** In accordance with Minn. Stat., Section 462.358, Subd. 2a., the City requires financial security in the amount of \$300 per acre up to a maximum of \$30,000 for the performance of the work described in the approved storm water pollution control and any related remedial work. This security must be available prior to commencing the project.

- (F) Action Against the Financial Security.** The City may act against the financial security if any of the conditions listed below exist. The City shall use funds from this se-

curity to finance any corrective or remedial work undertaken by the City or a contractor retained by the City and to reimburse the City for all direct cost incurred in the process of remedial work including, but not limited to, staff time and attorney's fees.

- (1) The applicant ceases construction activities and/or filling and abandons the work site prior to completion of the storm water pollution control plan.
  - (2) The applicant fails to conform to the storm water pollution control plan as approved by the City, or to related supplementary instructions.
  - (3) The techniques utilized under the storm water pollution control plan fail within one year of installation.
  - (4) The applicant fails to reimburse the City for corrective action taken under Section 9.
  - (5) Emergency action is taken under Section 9b.
- (B) **Returning the Financial Security** Any unspent amount of the financial security deposited with the City for faithful performance of the storm water pollution control plan and any storm water and pollution control plan related remedial work must be released not more than one full year after the completion of the installation of all such measures and the establishment of final stabilization.

#### **950.09 Failure of the Storm Water Pollution Control Plan.**

- (A) **Notifications by the City** The City shall notify the applicant when the City is going to act against the financial securities. The initial contact will be to the party or parties listed on the storm water pollution control plan as contacts. Except during an emergency action, forty eight (48) hours after notification by the City, the City at its discretion may begin corrective work. If after making a good faith effort to notify the responsible party or parties, the City has been unable to establish contact, the City may proceed with corrective work.
- (B) **Emergency Action** If circumstances exist such that noncompliance with this ordinance poses an immediate danger to the public health, safety and welfare, as determined by the City, the City may take emergency preventive action. The City shall also take every reasonable action possible to contact and direct the applicant to take any necessary action. Any cost to the City may be recovered from the applicant's financial security.
- (C) **Failure to Do Corrective Work** When an applicant fails to conform to any provision of Section 9 within the time stipulated, the City may take the following actions:
- (1) Withhold the scheduling of inspections and/or the issuance of a Certificate of Occupancy.
  - (2) Revoke any permit issued by the City to the applicant for the site in question or

- any other of the applicant's sites within the City's jurisdiction.
- (3) Direct the correction of the deficiency by City forces or by a separate contract.
  - (4) The applicant must reimburse all costs incurred by the City in correcting storm water pollution control deficiencies. If payment is not made within thirty (30) days after the City incurs costs, payment will be made from the applicant's financial securities as described in Section 8.
  - (5) If there is an insufficient financial amount, in the applicant's financial securities as described in Section 8, to cover the costs incurred by the City, then the City may assess the remaining amount against the property.

**950.10 Enforcement.** The City shall be responsible for enforcing this ordinance. Any person, firm, or corporation failing to comply with or violating any of these regulations, shall be deemed guilty of a misdemeanor and be subject to a fine or imprisonment or both. All land use and building permits will be suspended until the applicant has corrected the violation. Each day that a separate violation exists shall constitute a separate offense.

**950.11 Right of Entry and Inspection.** The applicant shall allow the City and their authorized representatives, upon presentation of credentials to:

- (A) Enter upon the permitted site for the purpose of obtaining information, examine records, conducting investigations or surveys or for the purpose of correcting deficiencies in storm water pollution control.
- (B) Bring such equipment upon the permitted site as is necessary.
- (C) Examine and copy any books, papers, records, or memoranda pertaining to activities or records required to be kept under the terms and conditions of this permitted site.
- (D) Inspect the storm water pollution control measures.
- (E) Sample and monitor any items or activities pertaining to storm water pollution control measures.

**950.12 Abrogation and Greater Restrictions.** This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail.

**950.13 Other Statutes, Rules and Ordinances.** The applicant shall comply with all federal and state statutes and local ordinances including the current version of the Minnesota Pollution Control Agency's, General Permit Authorization to Discharge Storm Water Associated with Construction Activity under the NPDES/SDS permit program and the requirements of a Watershed Management Organization, if applicable.

**950.14 Severability.** The provisions of this ordinance are severable, and if any provisions of this ordinance, or application of any provisions of this ordinance to any circumstance,

are held invalid, the application of such provisions to other circumstances and the remainder of this ordinance shall not be affected.

### Chapter 960 – Storm Sewer Utility

**960.01 Statutory Authority.** Minnesota Statutes, Section 444.075 (the “Act”) authorizes cities to impose just and equitable charges for the use and availability of storm sewer systems for the collection and disposal of storm water. By this Chapter, the City elects to exercise such authority.

**960.02 Findings and Purpose.**

- (A) In the exercise of its governmental authority, and in order to promote the public health, safety, convenience, and welfare, the City has constructed, operated, and maintained a storm sewer system (the “facilities”). This chapter is adopted in the further exercise of such authority.
- (B) The facilities have been financed by various methods, including special assessments, grants, and ad valorem taxes, which were appropriate methods used at the time. It is now necessary and desirable to provide an alternative method of recovering the future costs of establishment, operation, maintenance, depreciation, replacements, improvements, enlargements, and necessary extension of the facilities by the imposition of charges as provided in this chapter.
- (C) It is necessary to establish a methodology that undertakes to make the changes in a just and equitable manner. Taking into account the status of the completion of the facilities, past methods of recovery, facilities costs, and other relevant factors, it is determined to be just and equitable to establish charges on the basis of the expected storm water runoff from the various parcels of land within the City. Assigning costs and making charges based upon expected storm water runoff cannot be done with mathematical precision, but can only be accomplished within reasonable and practical limits based upon use.

**960.03 System Established.** A city storm sewer system is hereby established. The system consists of all storm sewer conduits, manholes and catch basins, ditches, and ponds within the public right-of-way, and storm sewer conduits, manholes and catch basins, ditches, and ponds in public purpose easements as of June 1, 2008, and any additional storm sewer facilities and appurtenances required by the City in the future.

**960.04 Rates and Charges.**

- (A) Land Use Rate Calculation. Rates and charges to be imposed for the use and availability of the facilities shall be determined by the use of a residential equivalent factor (“REF”), which is defined as the ratio of the average volume of surface water runoff from one acre of land subjected to a particular use, to the average volume of surface water runoff from one acre of land subject to typical single family uses within the

City during a standard rainfall event. All developed single-family parcels shall be considered to have an acreage of one-fourth (1/4) acre per lot. Calculations of storm water utility rates for various land uses shall be based upon their REF. The REF values for various land uses are as follows:

- |    |                           |            |
|----|---------------------------|------------|
| 1. | <u>Land Use Category</u>  | <u>REF</u> |
|    | Single Family Residential | 1.0        |
|    | Multi-Family Residential  | 1.5        |
|    | Commercial                | 1.9        |
|    | Industrial                | 2.0        |
|    | Airport Hangars           | 2.0        |
|    | Public and Semi-Public    | 1.2        |
|    | Vacant, Developable Land  | 0.4        |
2. Land use categories include, but are not limited to the following:
- (a) Single Family Residential – Residential areas within the City used or intended for use as single and two-family homes located within a typical single residential lot.
  - (b) Multi-Family Residential – Multi-family land use is defined as a parcel designed or used for three or more dwelling units which is typically on a lot larger than a typical single-family unit. This land use includes apartments, town homes, and mobile home parks.
  - (c) Commercial – This land use consists of land designed or used for commercial, retail, and office space as identified within the City’s land use plan.
  - (d) Industrial – These areas are designed or used for industrial uses as outlined in the City’s land use plan.
  - (e) Public and Semi-Public – These areas are designed or used for churches, cemeteries, and schools as outlined in the City’s land use plan.
  - (f) Airport – The airport has been divided into two segments for the purposes of this Ordinance. The airport consists of the runway segment, which the City is responsible for owning and maintaining, and the hangar segment which is a leased portion of the airport for use by individuals and businesses.
  - (g) Vacant Developable Land – These are areas within the City as identified on the land use map that are available for future development.
- (B) Calculation of Charge. The charge to be billed to each billing unit shall be a just and equitable share of the total cost of the facilities. Charges shall be apportioned similarly to similar uses of property. From time to time the City Council shall by resolution establish a class charge rate calculation table for all billing units. These charges shall be listed in the City Code Appendix E.

- (C) Other Land Uses. Land uses not listed in the class charge rate calculation table shall be classified by the City Administrator, or designee, on assigning them to the class most nearly like the listed uses from the standpoint of probable hydraulic response. Appeal from the City Administrator or designee's decision may be made in writing to the City Council within fourteen (14) days of notice of the decision.
- (D) Adjustment of Charges. The City Council may from time to time by resolution adopt policies providing for the adjustment of charges for parcels based upon data provided by affected property owners demonstrating an actual storm water runoff volume substantially different from the calculation being used for the class of parcel(s). An adjustment may not be made retroactive. If the adjustment would affect a change in the calculation for all or substantially all of the land uses in a particular classification, the adjustment must be made by amending the class charge rate calculation table.
- (E) Excluded Lands. A charge shall not be made against land which is:
1. outside the corporate limits of the City;
  2. railroad right-of-way;
  3. vacant and undevelopable;
  4. City owned land, except that which is leased to persons and non-governmental entities;
- (F) Information. The owner, tenant, occupant, or person in charge of premises must supply the City with such information as the City may reasonably request related to the use, development, and area of the premises. If the information requested is not provided, the charge for the premises will be estimated and billed in accordance with the estimate, which will be based on information available to the City.
- (G) Billing. The charges shall be included on the utility accounts of each property and are payable in accordance with the provisions for billing and payment of water and sanitary sewer bills. Billings for the charges shall begin with the first billing after June 1, 2008.
- (H) Penalties: Certification to County Auditor. Penalties for late payment or non-payment of billings for charges shall be the same in those applicable for water and sanitary sewer billings. The City may certify delinquent, unpaid charges to be certified to the Mille Lacs and Sherburne County Auditors with taxes against the property served for collection as other taxes and collections.

**960.05 Revenues.** Revenues received from charges shall be placed in a separate storm sewer utility fund and used to pay normal and reasonable costs of operating and maintaining the facilities, and any other use permitted by M.S. 444.075. Excess revenues may be used to finance

improvements to and betterments of the facilities.